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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,480	01/09/2002	Philip Y. Chang	AUS920010982US1	6093
70748	7590	05/07/2008	EXAMINER	
IBM Corp. (RCR)			WANG, LIANG CHE A	
c/o Rolnik & Associates, P.C.			ART UNIT	PAPER NUMBER
24 N. Main St.			2153	
Kingwood, TX 77339				
MAIL DATE		DELIVERY MODE		
05/07/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/042,480	CHANG ET AL.	
	Examiner	Art Unit	
	Liangche A. Wang	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 March 2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-17 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. Claim 18 is presented for examination.
2. Claims 1-17 are withdrawn.
3. This action is in response to amendment file don 11/20/07 and response to restriction filed on 3/3/08.

The New Grounds of Rejection

4. Applicant's amendment and argument with respect to claim 18 as filed on 11/20/2007, have been fully considered but they are deemed to be moot in views of the new grounds of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
6. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kondo et al, US Publication Number 2002/0069135, hereinafter Kondo, in views of Gaffney, US Publication Number 2001/0012302, hereinafter Gaffney.
7. Referring to claim 18, Kondo teaches a method of automating the matching of business to business processes (page 1 [0002], Kondo teaches an invention provides matching a want-to-buy company and a want-to-sell company in the Internet) comprising:

- a. receiving a registration request, via the internet, from a first company (want-to-buy company)(page 2 [0035], any company in the system is required to register to become a member of the system);
- b. receiving information from the first company based on the registration request, the information including at least one first process format (page 2 [0035] page 3 [0036], figure 2, each company has its process format);
- c. receiving a registration request, via the internet, from a second company (want-to-sell company)(page 2 [0035], any company in the system is required to register to become a member of the system);
- d. receiving information from the second company based on the registration request, the information including at least one second process format (page 2 [0035] page 3 [0036], figure 2, each company has its process format);
- e. storing the information of the first company and storing the information of the second company (page 3 [0036] information of each member company are stored in the member database);
- f. receiving a request from one of the first company and second company to do business with the other company (page 2 [0034]);
- g. mapping at least one of the first process formats to at least one of the second process formats (page 1 [0013], page 2 [0034]);
- h. determining at least one transformation of at least one of the first process formats to at least one of the second process formats based on the mapping (page 1 [0013], page 2 [0034]);

Kondo does not explicitly teach wherein the information are transmission capability and determining at least one translation path between the first and second companies based on the transmission capabilities and translation capabilities; and sending at least one determined translation path, including the transmission capability of the first company and the transmission capability of the second company and the determined transformation to the first company and second company.

However, Gaffney teaches a invention allows messages including multiple message types to be stored and delivered to and from a variety of terminal types over a plurality of interconnecting networks (page 1 [0001]), and translating message formats among a plurality of network devices with different transmission capabilities (page 1 [0012], page 2 [0020]).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the transmission capability to be the information of the companies in Kondo's system because Kondo is having a plurality of devices (device 10) representing a plurality of member companies, and Gaffney teaches a method to manage network communication of devices with different transmission capabilities.

A person with ordinary skill in the art would have been motivated to make the modification to Kondo because communication failure and communication incompatibilities from multiple devices associated with each company can be avoided as suggested by Gaffney(page 1 [0001]).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
9. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
April 29, 2008

/Liangche A. Wang/
Primary Examiner, Art Unit 2153